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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,214

02/13/2004

Takanori Nagai

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01/11/2006

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EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT

PAPER NUMBER

2852

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/777,214	Applicant(s) NAGAI ET AL. <i>al</i>	
	Examiner Susan S. Lee	Art Unit 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/27/05 & 12/15/05/.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-19 and 21-24 is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6,9 and 20 is/are rejected.
- 7) ☒ Claim(s) 4,7,8 and 10-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/15/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 15 and 19-23 are objected to because of the following informalities:

As to claim 15, line 16, "the cylindrical wall" lacks antecedent basis.

As to claim 19, line 1, "a method of recycling" is recited. There is no recitation of steps of recycling. The language in the claim is directed to an apparatus not a method of recycling.

As to claim 20, line 1, "a method of recycling" is recited. There is no recitation of steps of recycling. The language in the claim is directed to an apparatus not a method of recycling.

As to claim 21, line 1, "a method of recycling" is recited. There is no recitation of steps of recycling. The language in the claim is directed to an apparatus not a method of recycling.

As to claim 22, line 1, "a method of recycling" is recited. There is no recitation of steps of recycling. The language in the claim is directed to an apparatus not a method of recycling.

As to claim 22, lines 18-19, "the washed container body" lacks antecedent basis.

As to claim 22, line 19, "the washed closing lid" lacks antecedent basis.

As to claim 23, line 1, "a method of recycling" is recited. There is no recitation of steps of recycling. The language in the claim is directed to an apparatus not a method of recycling.

As to claim 23, line 18, "the lid member" lacks antecedent basis.

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As to claim 23, line 21, "the washed container body" lacks antecedent basis.

As to claim 23, line 21, "the washed closing lid" lacks antecedent basis.

As to claim 24, line 1, "a method of recycling" is recited. There is no recitation of steps of recycling. The language in the claim is directed to an apparatus not a method of recycling.

As to claim 24, line 22, "an cylindrical" is grammatically incorrect.

As to claim 24, line 40, "the washed parts" lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 6, 9, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hasenami (Japan, 09-269658).

Hasenami discloses a toner cartridge having a container body 2, a bottom wall located opposite of an open end 2a of container body 2, a closing lid 3 with a detachable portion 3b, coupler mounting portion 6, and a discharge port 3a formed in an end wall of lid 3. A resilient thin wall container 4 having an opening 4a is not reused when the cartridge is reutilized. It would be inherent that the container body 2 would be

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washed since residual toner and dust powder would be in the container body 2 when reusing it. Note abstract and Figs. 1 and 2.

Allowable Subject Matter

Claims 15-19 and 21-24 are allowed over the prior art of record.

Claims 4, 7, 8, and 10-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susan S. Lee
Primary Examiner
Art Unit 2852

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